

AUTO CR - LOG SUMMARY #1073260

TYPE: CONFIDENTIAL: CR

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	SUSTAINED	ROUSSELL, JAMES	01-OCT-2015

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	BLAUL, CHRISTINE H	926		121 /	SERGEANT OF POLICE	F	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	MURPHY, GERARD			011 /	SERGEANT OF POLICE	ON Duty	
CPD Employee	Accused	BAIO, ANTONIO			011 /	LIEUTENANT OF POLICE	ON Duty	Confidential

Other Involved Parties

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Witness	KWASINSKI, MARK			011 /	POLICE OFFICER	M	WHI		

Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party			NO RELATIONSHIP
Reporting Party Third Party			NO RELATIONSHIP
Reporting Party Third Party			NO RELATIONSHIP

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	
Non Disciplinary Intervention:	N	Pursuit Related?	
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:			

Incident Category List

Incident Category	Primary?	Initial?
12D - GROUP 12 - SUPERVISORY RESPONSIBILITIES FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	Y	N
12D - GROUP 12 - SUPERVISORY RESPONSIBILITIES FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	Y	Y

Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
FLORES, GABRIEL	Primary	CONFIDENTIAL INVESTIGATION SECTION	14-JAN-2015	14-MAY-2015	17-APR-2015	93
PIONKE, JOSEPH	Supervisor	CONFIDENTIAL INVESTIGATION SECTION	14-JAN-2015	13-FEB-2015	17-APR-2015	

Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
FLORES, GABRIEL	14-APR-2015	14-MAY-2015		OTHER (DESCRIBE)	Case concluded, submitted.	15-APR-2015	PIONKE, JOSEPH	17-APR-2015	ok
FLORES, GABRIEL	15-MAR-2015	14-APR-2015		OTHER (DESCRIBE)	Statements scheduled 23,24 Mar.	17-MAR-2015	PIONKE, JOSEPH	18-MAR-2015	ok
FLORES, GABRIEL	13-FEB-2015	15-MAR-2015		OTHER (DESCRIBE)	Awaiting Accused's Reports.	13-FEB-2015	PIONKE, JOSEPH	17-FEB-2015	ok

Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
MURPHY, GERARD	1	It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of [REDACTED] (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]	012 GROUP 12 - SUPERVISORY RESPONSIBILITIES	FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	SUSTAINED
BAIO, ANTONIO	1	It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of [REDACTED] (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]	012 GROUP 12 - SUPERVISORY RESPONSIBILITIES	FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	SUSTAINED

Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	02-OCT-2015 06:33	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	02-OCT-2015 06:27	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	02-OCT-2015 06:27	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	01-OCT-2015 02:03	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	01-OCT-2015 02:03	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	
PENDING SUPERINTENDENT DECISION	10-SEP-2015 12:54	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING SUPERINTENDENT DECISION	10-SEP-2015 12:53	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	08-SEP-2015 10:22	WELCH III, EDDIE	DEP CHIEF	121 /	
PENDING ASSISTANT DEPUTY SUPERINTENDENT REVIEW	28-AUG-2015 10:41	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	25-AUG-2015 09:19	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	22-JUL-2015 07:04	GULLIFORD, WAYNE	CHIEF	142 /	
PENDING COMMAND CHANNEL REVIEW	10-JUN-2015 11:37	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	10-JUN-2015 11:32	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	09-JUN-2015 01:55	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	09-JUN-2015 01:28	ANDREWS, CONSTANTI	DEP CHIEF	213 /	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING COMMAND CHANNEL REVIEW	08-JUN-2015 10:55	WEST, BARBARA	COMMANDER	011 /	
PENDING COMMAND CHANNEL REVIEW	04-JUN-2015 11:27	COSTELLO, ROBERT	SERGEANT OF POLICE	004 / 121	
PENDING ADVOCATE REVIEW	03-JUN-2015 09:56	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW/INCIDENT (I.A.D./DISTRICT USE)	21-APR-2015 09:39	KLIMAS, ROBERT	COMMANDER	121 /	
PENDING LIEUTENANT REVIEW	20-APR-2015 03:29	MELEAN, FREDERICK	LIEUTENANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	20-APR-2015 06:31	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	17-APR-2015 12:59	FLORES, GABRIEL	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	14-JAN-2015 12:59	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	08-JAN-2015 03:39	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	08-JAN-2015 09:38	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	07-JAN-2015 02:26	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	07-JAN-2015 02:20	KOBEL, DANIEL	INVESTIGATOR I COPA	113 /	
PRELIMINARY	07-JAN-2015 02:20	KOBEL, DANIEL	INVESTIGATOR I COPA	113 /	

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					KOBEL, DANIEL	07-JAN-2015 02:20			
1	INVESTIGATION					FLORES, GABRIEL	23-JAN-2015 10:21			
2	CONFLICT CERTIFICATION					FLORES, GABRIEL	23-JAN-2015 10:21			
3	DOCUMENTS - INVESTIGATION		1	Not Required	N	FLORES, GABRIEL	30-MAR-2015 09:53	APPROVED		
4	DOCUMENTS - INVESTIGATION		2	Sgt. Blaul report	N	FLORES, GABRIEL	30-MAR-2015 10:01	APPROVED		
5	DOCUMENTS - INVESTIGATION		2		N	FLORES, GABRIEL	30-MAR-2015 10:02	APPROVED		
6	WITNESS NOTIFICATION					FLORES, GABRIEL	23-JAN-2015 10:41	WITNESS ACKNOWLEDGED NOTIFICATION		
7	DOCUMENTS - INVESTIGATION		1	P.O. Kwasinski's report	N	FLORES, GABRIEL	30-MAR-2015 10:07	APPROVED		
8	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - MURPHY, GERARD				FLORES, GABRIEL	04-FEB-2015 10:50	ACCUSED ACKNOWLEDGED ALLEGATIONS		
9	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - BAIQ, ANTONIO				FLORES, GABRIEL	04-FEB-2015 10:47	ACCUSED ACKNOWLEDGED ALLEGATIONS		
10	DOCUMENTS - INVESTIGATION		1	Sgt. Murphy To-From	N	FLORES, GABRIEL	30-MAR-2015 10:13	APPROVED		
11	DOCUMENTS - INVESTIGATION		3	Lt. Baio To-From	N	FLORES, GABRIEL	30-MAR-2015 10:21	APPROVED		
12	DOCUMENTS - INVESTIGATION		4	Sgt. Murphy accused statement	N	FLORES, GABRIEL	30-MAR-2015 10:25	APPROVED		
13	DOCUMENTS - INVESTIGATION		4	Lt. Baio Accused statement	N	FLORES, GABRIEL	30-MAR-2015 10:27	APPROVED		
14	DOCUMENTS - INVESTIGATION		2	Sgt. Murphy Complimentary History	N	FLORES, GABRIEL	30-MAR-2015 10:48	APPROVED		
15	DOCUMENTS - INVESTIGATION		2	Sgt. Murphy's Disciplinary History	N	FLORES, GABRIEL	30-MAR-2015 10:53	APPROVED		
16	DOCUMENTS - INVESTIGATION		2	Lt. Baio's Comp. History	N	FLORES, GABRIEL	30-MAR-2015 11:01	APPROVED		
17	DOCUMENTS - INVESTIGATION		2	Lt. Baio Disciplinary History	N	FLORES, GABRIEL	31-MAR-2015 02:22	APPROVED		
18	DOCUMENTS - INVESTIGATION		1	Rules and Regs.	N	FLORES, GABRIEL	31-MAR-2015 02:25	APPROVED		
	DOCUMENTS - INVESTIGATION		8	closing.	N	FLORES, GABRIEL	15-APR-2015 09:50	APPROVED		

Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
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Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ASSISTANT DEPUTY SUPERINTENDENT REVIEW	MURPHY, GERARD	SUBMITTED	WELCH III, EDDIE	CHIEF	121	08-SEP-2015 10:22	
ASSISTANT DEPUTY SUPERINTENDENT REVIEW	BAIO, ANTONIO	SUBMITTED	WELCH III, EDDIE	CHIEF	121	08-SEP-2015 10:22	
ASSISTANT ADVOCATE REVIEW	MURPHY, GERARD	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	25-AUG-2015 09:19	The Commander concurs with the finding for both accused officers. The Deputy Chief and the Chief recommend that the allegations be unfounded. To the Chief.
ASSISTANT ADVOCATE REVIEW	BAIO, ANTONIO	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	25-AUG-2015 09:19	The Commander concurs with the finding for both accused officers. The Deputy Chief and the Chief recommend that the allegations be unfounded. To the Chief.
ASSISTANT ADVOCATE REVIEW	MURPHY, GERARD	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	09-JUN-2015 01:55	The D/C recommends that the allegations be classified as unfounded to the Chief.
ASSISTANT ADVOCATE REVIEW	BAIO, ANTONIO	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	09-JUN-2015 01:55	The D/C recommends that the allegations be classified as unfounded to the Chief.
ASSISTANT ADVOCATE REVIEW		SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	03-JUN-2015 09:56	To CCR
LIEUTENANT REVIEW		SUBMITTED	KLIMAS, ROBERT	COMMANDER	121	21-APR-2015 09:39	OK
LIEUTENANT REVIEW		SUBMITTED	MELEAN, FREDERICK	LIEUTENANT OF POLICE	022	20-APR-2015 03:29	
SERGEANT REVIEW		SUBMITTED	PIONKE, JOSEPH	SERGEANT OF POLICE	022	20-APR-2015 06:31	

Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ADVOCATE OFFICE CLOSING STEPS	MURPHY, GERARD	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	02-OCT-2015 06:33	
ADVOCATE OFFICE CLOSING STEPS	BAIO, ANTONIO	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	02-OCT-2015 06:32	
REVIEW AFTER SUPERINTENDENT DECISION	MURPHY, GERARD	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	02-OCT-2015 06:27	
REVIEW AFTER SUPERINTENDENT DECISION	BAIO, ANTONIO	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	02-OCT-2015 06:27	
SUPERINTENDENT DECISION	BAIO, ANTONIO	SUBMITTED	ROUSSELL, JAMES	DEPUTY DIRECTOR	111	01-OCT-2015 02:03	
SUPERINTENDENT DECISION	MURPHY, GERARD	SUBMITTED	ROUSSELL, JAMES	DEPUTY DIRECTOR	111	01-OCT-2015 02:03	
ADVOCATE OFFICE ACCUSED REVIEW	MURPHY, GERARD	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	10-SEP-2015 12:54	
ADVOCATE OFFICE ACCUSED REVIEW	BAIO, ANTONIO	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	10-SEP-2015 12:53	
ADVOCATE REVIEW	MURPHY, GERARD	SUBMITTED	O CONNOR, DANIEL	LIEUTENANT OF POLICE	009	28-AUG-2015 10:41	
ADVOCATE REVIEW	BAIO, ANTONIO	SUBMITTED	O CONNOR, DANIEL	LIEUTENANT OF POLICE	009	28-AUG-2015 10:41	
COMMAND CHANNEL REVIEW	MURPHY, GERARD	SUBMITTED - DO NOT CONCUR	GULLIFORD, WAYNE	LIEUTENANT OF POLICE	142	22-JUL-2015 07:04	
COMMAND CHANNEL REVIEW	BAIO, ANTONIO	SUBMITTED - DO NOT CONCUR	GULLIFORD, WAYNE	LIEUTENANT OF POLICE	142	22-JUL-2015 07:04	
ADVOCATE REVIEW	MURPHY, GERARD	SUBMITTED	O CONNOR, DANIEL	LIEUTENANT OF POLICE	009	10-JUN-2015 11:37	D/C non-concurs with finding recommends unfounded, needs third level of review.
ADVOCATE REVIEW	BAIO, ANTONIO	SUBMITTED	O CONNOR, DANIEL	LIEUTENANT OF POLICE	009	10-JUN-2015 11:37	D/C non-concurs with finding recommends unfounded, needs third level of review.
COMMAND CHANNEL REVIEW	BAIO, ANTONIO	SUBMITTED - DO NOT CONCUR	ANDREWS, CONSTANTI	CHIEF	180	09-JUN-2015 01:28	
COMMAND CHANNEL REVIEW	MURPHY, GERARD	SUBMITTED - DO NOT CONCUR	ANDREWS, CONSTANTI	CHIEF	180	09-JUN-2015 01:28	
COMMAND CHANNEL REVIEW	MURPHY, GERARD	SUBMITTED	WEST, BARBARA	CHIEF	120	08-JUN-2015 10:55	
COMMAND CHANNEL REVIEW	BAIO, ANTONIO	SUBMITTED	WEST, BARBARA	CHIEF	120	08-JUN-2015 10:55	
ADVOCATE REVIEW	MURPHY, GERARD	SUBMITTED	COSTELLO, ROBERT	LIEUTENANT OF POLICE	002	04-JUN-2015 11:27	
ADVOCATE REVIEW	BAIO, ANTONIO	SUBMITTED	COSTELLO, ROBERT	LIEUTENANT OF POLICE	002	04-JUN-2015 11:27	

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
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Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	ROUSSELL, JAMES	01-OCT-2015 02:03			SUSTAINED	
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	ROUSSELL, JAMES	01-OCT-2015 02:03			SUSTAINED	
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	WELCH III, EDDIE	08-SEP-2015 10:22		Y	SUSTAINED	
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	WELCH III, EDDIE	08-SEP-2015 10:22		Y	SUSTAINED	
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	GULLIFORD, WAYNE	22-JUL-2015 07:04	Y	N	UNFOUNDED	<p>I concur with Dep Chief Andrews' analysis. In addition, P.O. Kwasinski states in his witness statement (Att #7) that he notified Sgt Blaul by phone and Sgt Murphy and Lt Baio in person that his login credentials were compromised upon being notified on 23 Dec 14 that he was the accused in CR [REDACTED]. P.O. Kwasinski generated the Deceptive Practice report on 23 December 2014 as a response to being notified that he was the accused in CR [REDACTED]. In essence, it was his response to the allegation in CR [REDACTED] before being interviewed by investigating Sgt Blaul. Obtaining the second CR number takes the focus off of the original accused - P.O. Mark Kwasinski.</p> <p>Sgt Blaul was aware of the allegation on 23 Dec 14 but did not obtain CR [REDACTED] until 07 January 15.</p>
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	GULLIFORD, WAYNE	22-JUL-2015 07:04	Y	N	UNFOUNDED	<p>I concur with Dep Chief Andrews' analysis. In addition, P.O. Kwasinski states in his witness statement (Att #7) that he notified Sgt Blaul by phone and Sgt Murphy and Lt Baio in person that his login credentials were compromised upon being notified on 23 Dec 14 that he was the accused in CR [REDACTED]. P.O. Kwasinski generated the Deceptive Practice report on 23 December 2014 as a response to being notified that he was the accused in CR [REDACTED]. In essence, it was his response to the allegation in CR [REDACTED] before being interviewed by investigating Sgt Blaul. Obtaining the second CR number takes the focus off of the original accused - P.O. Mark Kwasinski.</p> <p>Sgt Blaul was aware of the allegation on 23 Dec 14 but did not obtain CR [REDACTED] until 07 January 15.</p>
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	ANDREWS, CONSTANTI	09-JUN-2015 01:28	Y	N	UNFOUNDED	<p>The undersigned disagrees with the investigator's assessment that the two incidents are independent of each other and require two separate complaint register numbers. The second incident could have a direct impact on the allegations of the first complaint register number and having two completely independent investigations regarding the same incident, especially when the outcome of the second investigation could directly impact the outcome of the first investigation, is illogical from an investigative standpoint. It also violates the basic tenets of sound investigative procedure. An additional accused unknown officer should be added to the original complaint register number.</p>
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	ANDREWS, CONSTANTI	09-JUN-2015 01:28	Y	N	UNFOUNDED	<p>The undersigned disagrees with the investigator's assessment that the two incidents are independent of each other and require two separate complaint register numbers. The second incident could have a direct impact on the allegations of the first complaint register number and having two completely independent investigations regarding the same incident, especially when the outcome of the second investigation could directly impact the outcome of the first investigation, is illogical from an investigative standpoint. It also violates the basic tenets of sound investigative procedure. An additional accused unknown officer should be added to the original complaint register number.</p>
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	WEST, BARBARA	08-JUN-2015 10:55	Y	Y	SUSTAINED	
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	WEST, BARBARA	08-JUN-2015 10:55	Y	Y	SUSTAINED	

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
MURPHY, GERARD	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	FLORES, GABRIEL	17-APR-2015 12:59			SUSTAINED	
BAIO, ANTONIO	1. It is alleged that on 24 Dec 2014, at 0850 hrs, while at the...	FLORES, GABRIEL	17-APR-2015 12:59			SUSTAINED	

Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
BAIO, ANTONIO	ROUSSELL, JAMES	01-OCT-2015 02:03			REPRIMAND	
MURPHY, GERARD	ROUSSELL, JAMES	01-OCT-2015 02:03			REPRIMAND	
MURPHY, GERARD	WELCH III, EDDIE	08-SEP-2015 10:22		Y	REPRIMAND	
BAIO, ANTONIO	WELCH III, EDDIE	08-SEP-2015 10:22		Y	REPRIMAND	
BAIO, ANTONIO	GULLIFORD, WAYNE	22-JUL-2015 07:04	Y	N		
MURPHY, GERARD	GULLIFORD, WAYNE	22-JUL-2015 07:04	Y	N		
MURPHY, GERARD	ANDREWS, CONSTANTI	09-JUN-2015 01:28	Y	N		
BAIO, ANTONIO	ANDREWS, CONSTANTI	09-JUN-2015 01:28	Y	N		
BAIO, ANTONIO	WEST, BARBARA	08-JUN-2015 10:55	Y	Y	REPRIMAND	
MURPHY, GERARD	WEST, BARBARA	08-JUN-2015 10:55	Y	Y	REPRIMAND	
BAIO, ANTONIO	PIONKE, JOSEPH	20-APR-2015 06:31			REPRIMAND	
MURPHY, GERARD	PIONKE, JOSEPH	20-APR-2015 06:31			REPRIMAND	

Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
MURPHY, GERARD	It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]	012 GROUP 12 - SUPERVISORY RESPONSIBILITIES		SUSTAINED	
BAIO, ANTONIO	It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]	012 GROUP 12 - SUPERVISORY RESPONSIBILITIES		SUSTAINED	

FACE SHEET (Notification Date: 07-JAN-2015) - LOG #1073260

TYPE: CONFIDENTIAL: CR

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	BLAUL, CHRISTINE H	926		121 /	SERGEANT OF POLICE	F	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	UNKNOWN,					OFF Duty	Confidential

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	
Non Disciplinary Intervention:	N	Pursuit Related?	
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

Initial Incident Category List

Initial Incident Category	Primary?
12D - GROUP 12 - SUPERVISORY RESPONSIBILITIES FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	Y
12D - GROUP 12 - SUPERVISORY RESPONSIBILITIES FAIL TO OBTAIN A COMPLAINT REGISTER NUMBER	Y

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	CONFIDENTIAL INVESTIGATION SECTION	PIONKE, JOSEPH (SUPERVISOR)	14-JAN-2015 12:59	PIONKE, JOSEPH	
IAD	CONFIDENTIAL INVESTIGATION SECTION	FLORES, GABRIEL (PRIMARY INV)	14-JAN-2015 12:59	PIONKE, JOSEPH	
IAD	CONFIDENTIAL INVESTIGATION SECTION	-	08-JAN-2015 09:38	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	07-JAN-2015 14:20	KOBEL, DANIEL	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	02-OCT-2015 06:33	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	02-OCT-2015 06:27	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	02-OCT-2015 06:27	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	01-OCT-2015 02:03	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	01-OCT-2015 02:03	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING SUPERINTENDENT DECISION	10-SEP-2015 12:54	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING SUPERINTENDENT DECISION	10-SEP-2015 12:53	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	08-SEP-2015 10:22	WELCH III, EDDIE	DEP CHIEF	121 /	
PENDING ASSISTANT DEPUTY SUPERINTENDENT REVIEW	28-AUG-2015 10:41	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	25-AUG-2015 09:19	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	22-JUL-2015 07:04	GULLIFORD, WAYNE	CHIEF	142 /	
PENDING COMMAND CHANNEL REVIEW	10-JUN-2015 11:37	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	10-JUN-2015 11:32	O CONNOR, DANIEL	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	09-JUN-2015 01:55	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	09-JUN-2015 01:28	ANDREWS, CONSTANTI	DEP CHIEF	213 /	
PENDING COMMAND CHANNEL REVIEW	08-JUN-2015 10:55	WEST, BARBARA	COMMANDER	011 /	
PENDING COMMAND CHANNEL REVIEW	04-JUN-2015 11:27	COSTELLO, ROBERT	SERGEANT OF POLICE	004 / 121	
PENDING ADVOCATE REVIEW	03-JUN-2015 09:56	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	21-APR-2015 09:39	KLIMAS, ROBERT	COMMANDER	121 /	
PENDING LIEUTENANT REVIEW	20-APR-2015 03:29	MELEAN, FREDERICK	LIEUTENANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	20-APR-2015 06:31	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	17-APR-2015 12:59	FLORES, GABRIEL	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	14-JAN-2015 12:59	PIONKE, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	08-JAN-2015 03:39	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	08-JAN-2015 09:38	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	07-JAN-2015 02:26	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	07-JAN-2015 02:20	KOBEL, DANIEL	INVESTIGATOR I COPA	113 /	
PRELIMINARY	07-JAN-2015 02:20	KOBEL, DANIEL	INVESTIGATOR I COPA	113 /	

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
) CC
COUNTY OF COOK)

Location of Incident	Date	Time
Summary of Statement(s):		

I, _____ hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary is true and correct except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Print Witness's Name

Affiant's Signature

Witness's Signature

Date

Date

CPD-44.126 (Rev. 6/09) English

Attachment No. _____

Complaint Log No. _____

Bureau of Internal Affairs
Confidential Investigation Section

07 JAN 2015

To: Chief Juan RIVERA
Chief
Bureau of Internal Affairs

From: Sergeant Christine BLAUL #926
Confidential Investigation Section
Bureau of Internal Affairs

Subject: CL [REDACTED]
Initiation Report

Accused: #1 Lieutenant Antonio BAIO
Star: 495
Employee: [REDACTED]
Unit: 011
C/S: 06 May 1985
DOB: [REDACTED]
On Duty

#2 Sergeant Gerard MURPHY
Star: 924
Employee: [REDACTED] -52178
Unit: 011
C/S : 29 NOV 1982
DOB: [REDACTED]
On Duty

Complainant: Sergeant Christine Blaul # 926
Confidential Investigation Section
Bureau of Internal Affairs

Date & Time: 24 DEC 2014 at 0850 hours

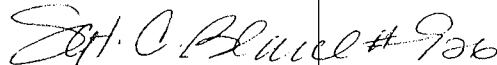
Location: 11th District
3151 W. Harrison Ave
Chicago

Allegation: Failure to obtain a CR number
Failure to report Misconduct
Failure to make Notification


On 24 DEC 2014 at approximately 0850 Lieutenant BAIO and Sergeant MURPHY were notified of a case report filed with the Chicago Police Department under HX [REDACTED] where the victim, Chicago Police Officer Mark KWASINSKI # 17243 alleged that his department CPD LOGON ID and Personal Password were stolen by unknown offenders when used to access a Chicago Police Department Database.

Sergeant MURPHY and Lieutenant BAIO failed to obtain a CR number and failed to make notifications about a potential security breach involving Chicago Police Databases. Additionally the accused members failed to notify Internal Affairs of the incident.

IPRA contacted at 1420 hours and obtained CL 1073260 from Intake Operator KOBEL #136.


Sergeant Christine BLAUL # 926
Confidential Investigation Section
Bureau of Internal Affairs

Approved:


Commanding Officer
Confidential Investigation Section
Bureau of Internal Affairs

Commander
Bureau of Internal Affairs

CHICAGO POLICE DEPARTMENT
ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
For use by Chicago Police Department Personnel Only)
CPD-11.308(6/03)-C)

RD #: [REDACTED]

EVENT #: [REDACTED]
Case ID: [REDACTED]

INCIDENT

SUSPENDED

IUCR: 1240 - Deceptive Practice - Unlawful Use Of A Computer

Occurrence [REDACTED] Beat: 1134

Location: Chicago IL
280 - Police Facility/Veh Parking Lot

Unit Assigned: 1102

RO Arrival Date: 24 December 2014 08:20

Occurrence Date: 20 December 2014 06:24

Offenders: 1

NON OFFENDER

VICTIM - Individual

Police Officer

Name: [REDACTED]

Demographics

Age: Years

Beat: 1134

Sobriety: Sober

SUSPECTS

Suspect # 1

Name: OFFENDER(S)-NO DETAILS

Demographics

RELATIONSHIP

RELATIONSHIP

(Victim)

(Offender)

is a Unknown of

OFFENDER(S)-NO DETAILS

DOCUMENTS

Miscellaneous

Victim Information Provided

Flash Message Sent ? No

OTHER

Chicago Police Department - Incident Report

RD #: [REDACTED]

Name

Christine, BLAUL

NOTIFICATIONS

Request Type	Unit	Agency Name	Date
Notification	121	Bureau Of Internal Affairs	23 December 2014 09:38

NARRATIVE

EV#03204 IN SUMMARY, R/O WAS INFORMED BY VICTIM THAT HIS CPD PCLOGIN AND PCLOGIN PASSWORD HAD BEEN TAKEN AND USED BY UNKNOWN OFFENDER(S). HE STATED THAT ON 24DEC14 HE WAS NOTIFIED BY IAD INVESTIGATOR BLAUL THAT ON 20DEC14 HE HAD UTILIZED A CHICAGO POLICE DEPARTMENT DATABASE WITHOUT PROPER AUTHORITY. THE VICTIM STATED THAT HE HAD NOT ACCESSED ANY DEPARTMENT COMPUTERS ON THAT DAY AND BELIEVES HIS UNIQUE IDENTIFIERS TO HAVE BEEN STOLEN. AS SOON AS VICTIM WAS INFORMED OF THIS OCCURENCE, HE CHANGED ALL OF HIS DEPARTMENT PASSWORDS. THE VICTIM STATES THAT HE USED DEPARTMENT COMPUTER # [REDACTED] ON 19DEC14 AND PROPERLY LOGGED OFF WHEN HE WAS FINISHED AT APPROXIMATELY 1200 HRS. NFI.

NOTIFICATION: SUPERVISOR BAIO Beat#: Star#: 495 Emp#: Date: 24-DEC-2014 Time: 0800 NOT

NOTIFICATION: SERGEANT MURPHY Beat#: Star#: 0924 Emp#: Date: 23-DEC-2014 Time: 0940 NOT

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	495	[REDACTED]	BAIO, Antonio, M	[REDACTED]	24 Dec 2014 08:50	011	
Reporting Officer	5666	[REDACTED]	MENONI, Joseph, A	[REDACTED]	24 Dec 2014 08:43	011	1102

011 District

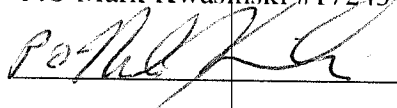
28 January 2015

To: 011 District Barbra West Commander 011 District
From: P.O. Mark Kwasinski #17243
Subject: Witness Report
Reference: Log # 1073260

R/O is initiating this To/From subject report at the request of Investigator Gabriel Flores regarding CR # 1073260.

R/O reported the unauthorized use of his Chicago Police Department login credentials on 24 December 2014 per RD# [REDACTED] R/O learned of the unauthorized use of his login credentials when notified by Sgt Christine Blaul of CR# [REDACTED] on the 23 December 2014. R/O notified Sgt Blaul by telephone and Sgt Murphy and Lt Baio in person. R/O informed the above supervisors that he learned of the unauthorized use of his login credentials after he learned that a CR # investigation was active. R/O has no knowledge as to if any additional CR# investigations were initiated pertaining to this matter.

P.O Mark Kwasinski #17243



Approved:

11th District

20 Feb 2015

To: District Commander 11th District

From: Sgt G.T Murphy #924

Subj: C.R statement response CR # [REDACTED]

1. This report is a summation of events and should not be considered verbatim unless contained in quotation marks. R/S is not giving this statement voluntarily but under duress. R/S is only giving this statement at this time because he could lose his job if he refuses.
2. On or around 24 Dec 14 R/S was approached by PO Kwasinski #17243. Officer Kwasinski explained that he was the accused in CR # [REDACTED] and he explained the nature of that CR#. PO Kwasinski asked for R/S's assistance in changing his password as he believed it to have been compromised. This belief and the documentation of it is reflected in both the RD [REDACTED] report and PO Kwasinski's statement in that CR investigation. R/S assisted PO Kwasinski as requested making sure that a new password was entered for him and that it was secure.
3. R/S did not initiate a CR investigation for this incident because the incident was already under investigation under CR [REDACTED] R/S was/is unaware of the actual allegation in that CR but does understand it has to do with someone viewing/ printing a case report that was not in their realm of responsibility. As to the best of R/O's knowledge this is a singular incident it requires a single CR which had already been obtained.
4. R/S believes he has answered all the requested information and has no further information regarding this incident.

Sgt. G.T. Murphy #924

Bureau of Patrol
011th District

28 February 2015

TO: Gabriel Flores
Sergeant
Internal Affairs Division

FROM: Antonio M. Baio
Lieutenant
011th District

SUBJECT: CR # 1073260 Investigation

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know that I could lose my job if I refuse the direct order being given to me. This "TO / FROM" report should not be considered a verbatim statement but only a summary of the requested information.

ALLEGATIONS: It is alleged that on 24 December 2014 at 0850 hrs. while at the location of 3151 W. Harrison Ave. (011th District Station) Chicago, Illinois, the accused failed to initiate a CR Number investigation after being made aware of possible misconduct by unknown members / persons after being notified of such and after the completion of Chicago Police Department R.D. # [REDACTED]

SPECIFIC QUESTIONS to be ADDRESSED:

1. Were you notified by P.O. KWASINSKI # 17243 and/or P.O. MENONI # 5666 that P.O. KWASINSKI's Chicago Police Department PC Login credentials had been used by unknown persons/offenders on 20 December 2014 without authorization, as RD # [REDACTED] reflects? If you were notified, when and by whom were you notified?

Answer: On 24 December 2014, P.O. KWASINSKI informed R/Lt. that he was notified as an accused in CR Investigation Number [REDACTED] P.O. KWASINSKI informed R/Lt. that this CR Investigation involved the improper access to a case report in which his CPD Login credentials were used to access a case report that was not in his realm of responsibility.

28 February 2015

SUBJECT: CR # [REDACTED] Investigation (continued)

2. If you were notified, as RD # [REDACTED] shows, were you advised that P.O. KWASINSKI learned of the unauthorized use of his CPD Login credentials after having been notified as an accused in a separate CR Investigation?

Answer: P.O. KWASINSKI did inform R/Lt. that he believed that his CPD credentials were improperly used and without his authorization because the date of such use was on Saturday, 20 December 2014, a day that he was not working.

3. After having been made aware of the unauthorized use of P.O. KWASINSKI's CPD Login credentials and possible misconduct by a Chicago Police Department member, did you initiate a CR Number Investigation for the unauthorized use of P.O. KWASINSKI's CPD Login credentials? Why or Why not?

Answer: R/Lt. did not initiate a CR Number Investigation for the unauthorized use of P.O. KWASINSKI's CPD Login credentials. The reason for not doing so will be explained in his response to Question # 5.

4. What notifications specifically, and/or actions did you take after having been notified of the unauthorized use of P.O. KWASINSKI's CPD Login credentials?

Answer: After being informed of the circumstances provided by P.O. KWASINSKI in regards to him being named in a CR Investigation, R/Lt. instructed him to make a police report regarding the theft of his CPD Login credentials. P.O. Menoni # 5666 completed said case report for Deceptive Practice – Unlawful Use of a Computer (R.D. # [REDACTED])

5. Is there anything you would like to add at this time that you would believe would be pertinent to the CR Investigation?

Answer: Due to the fact that the initial CR Investigation (C.R.# [REDACTED]) in which P.O. KWASINSKI was so named and that it involved the inappropriate access to a case report in which the mayor's son was named as a victim of a robbery, R/Lt. felt that it was prudent not to obtain a separate CR Investigation Number involving the unauthorized use of P.O. KWASINSKI's CPD Login credentials. R/Lt. believed that the investigation into this unauthorized access to P.O. KWASINSKI's Login credentials would be addressed and so investigated in C.R. # 1073044, since the Chicago Police Department was already aware that P.O. KWASINSKI's CPD Login credentials were used to access said report.

Bureau of Patrol
011th District

28 February 2015

SUBJECT: CR # 1073260 Investigation (continued)

However, if P.O. KWASINSKI had informed this R/Lt. that he learned on his own (without so being notified as the result of another CR Investigation) that his CPD Login credentials had been used without his knowledge or authorization, R/Lt. would most defiantly have obtained and initiated a CR Investigation Number.

R/Lt. likens this entire CR Investigation scenario to that of burglary incident in which a vehicle is subsequently stolen as a result of the burglary. If a vehicle is taken in the course of such a burglary, the vehicle information would then be included in the burglary case report. A separate case report (and RD Number) would not be created to report the theft of the vehicle. Hence, the unauthorized use of P.O. KWASINSKI's CPD Login credentials was so recorded and reported in his response to CR # [REDACTED]

R/Lt. believes that he has answered all of the requested information and has no further information regarding this incident.



Lt. Antonio M. Baio # 495

APPROVED:

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

23 Mar 2015
Log No. 1073260

1 STATEMENT of ACCUSED Sergeant MURPHY, Gerard #924, Employee # [REDACTED] 011th
2 District 2nd Watch, relative to the allegation where on 24 Dec 2014, at 0850 hrs, while at the
3 location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused
4 failed to initiate a CR Number Investigation after being made aware of possible misconduct
5 by unknown members/persons after being notified of such and after the completion of
6 Chicago Police Department RD # [REDACTED]

7
8 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510 S.
9 Michigan Avenue, Chicago, Illinois.

10
11 Questioned &

12 Typed by: Sgt. Gabriel FLORES #2129

13
14 Date, Time: 23 Mar 2015 @ 1000 hrs

15
16 FLORES: For the record, what is your rank, full name, employee number and
17 unit of assignment?

18 MURPHY: Sergeant MURPHY, Gerard T. #924, Employee # [REDACTED], 011th
19 District.

20
21 FLORES: Are you currently on duty?

22 MURPHY: Yes.

23
24 FLORES: What is your date of birth?

25 MURPHY: [REDACTED]

26
27 FLORES: What is your date of appointment to the Department?

28 MURPHY: 29 Nov 82

29
30 FLORES: How long have you been assigned to your present unit?

31 MURPHY: Off and on, 22 years.

32
33 FLORES: Have you been advised in writing and or electronically of the
34 charges/allegations made against you, the name of the complainant(s),
35 the date and time of the incident(s), and your administrative rights
36 thereto?

37 MURPHY: Yes.

38
39 FLORES: Did you read and understand these charges/allegations and your
40 rights?

41 MURPHY: Yes.

42
43 FLORES: Are you accompanied by counsel/representative of your choosing, and
44 if so, identify him for the record?

45 MURPHY: No

Initials: Gay

Page 1 of 4

Log No.: 1067075
Attachment No.: _____

CPD 0271599

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

23 Mar 2015
Log No. 1073260

46 FLORES: Are you now prepared to give this statement without the aid of
47 counsel/representative?
48 MURPHY: Yes.
49
50 FLORES: Do you understand that this is an official Police Department report and
51 that any deviation from the truth could result in allegations or charges
52 being placed against you?
53 MURPHY: Yes.
54
55 FLORES: "Rule 14" of the Chicago Police Department's Rules and Regulations
56 prohibits making false reports, whether written or oral. You may be
57 separated from the Chicago Police Department if you make a false
58 report. Do you understand?
59 MURPHY: Yes.
60
61 FLORES: Are you ready to give your statement at this time?
62 MURPHY: Yes, however this statement is not being given voluntarily, but under
63 duress. I am only giving this statement because I know that I could
64 lose my job if I refuse the direct order being given to me.
65
66 FLORES: Recalling your attention on or around 24 Dec 2014, were you
67 approached by P.O. KWASINSKI #17243 and notified by him that his
68 Chicago Police Department Log-in credentials had been used without
69 his authorization?
70 MURPHY: Yes.
71
72 FLORES: What did P.O. KWASINSKI tell you or explain to you concerning the
73 unauthorized use of his Chicago Police Department Log-in
74 credentials?
75 MURPHY: That there was a CR involved pertaining to someone using his
76 credentials to access the Mayors son's robbery report and he needed
77 help in changing his log in credentials because they had been
78 compromised. I assisted him in changing his credentials in the clear
79 system, this was done in the watch secretary's office.
80
81 FLORES: Did P.O. KWASINSKI explain how he came to learn of the
82 unauthorized use of his Chicago Police Department Log-in
83 credentials?
84 MURPHY: Yes. He stated, to the best of my recollection, that there was a CR
85 number where someone used his credentials to access the Mayor's
86 son's robbery report.
87
88 FLORES: Did P.O. KWASINSKI advise you that he believed another
89 Department member might have used his CPD log-in credentials?
90 MURPHY: Yes.

Initials: 6721

Page 2 of 4

Log No.: 1067075
Attachment No.: _____

CPD 0271600

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

23 Mar 2015
Log No. 1073260

91 FLORES: Did P.O. KWASINSKI advise you that he was the actual accused
92 member in the initial CR Number Investigation?
93 MURPHY: Yes. He did advise that he was the accused in the CR.
94
95 FLORES: After having been advised of the unauthorized use of P.O.
96 KWASINSKI'S Chicago Police Department Log-in credentials, did
97 you advise or order P.O. KWASINSI to initiate a case report, RD
98 # [REDACTED]?
99 MURPHY: No. I assumed all of it was being covered already.
100
101 FLORES: After having been made aware of the unauthorized use of P.O.
102 KWASINSKI'S Chicago Police Department Log-in credentials and
103 possible misconduct by a Chicago Police Department member, did you
104 initiate a CR Investigation, specifically, for the unauthorized use of
105 P.O. KWASINSKI'S CPD Log-in credentials?
106 MURPHY: No I did not, base upon there already being a CR number issued based
107 on the access, which would include as the accused, whoever had
108 actually accessed it.
109
110 FLORES: Why did you not initiate a separate CR Investigation into the alleged
111 unauthorized use of P.O. KWASINSKI'S CPD Log-in credentials?
112 MURPHY: Same incident, same CR. It was not a new incident. It had already
113 been reported to Internal Affairs.
114
115 FLORES: You did not see it as two separate allegations requiring two separate
116 investigations where the already initiated CR investigation was for the
117 access to computerized data and/or dissemination of CPD reports and
118 the second one should have been for, as Case Report RD # [REDACTED]
119 shows, the Deceptive Practice- Unlawful Use of a Computer involving
120 the unauthorized use of P.O. KWASINSKI'S CPD log-in credentials?
121 MURPHY: I would argue that the access of the report is the violation regardless of
122 who the accused was which would include whomever would have used
123 P.O. Kwasinski's credentials and to the best of my recollection when
124 an incident involves a CPD member, unless it is a serious incident, a
125 case report would not be initiated, unless it has been changed since I
126 was taught. At the time of my interaction with officer Kwasinski, I
127 had no knowledge of the actual CR or the actual allegation contained
128 and assumed the access by whoever was the problem and as such
129 would have been investigated as part of the initial complaint.
130
131 FLORES: Is there anything you would like to add at this time?
132 MURPHY: No.
133
134

Initials: 67mr

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

23 Mar 2015
Log No. 1073260

135 FLORES: After reading this statement consisting 4 pages and finding it contains
136 the responses you have given, will you sign it?

137 MURPHY: Yes.

138

139

140

141 FLORES: Statement concluded at **1020** hours.

142

143

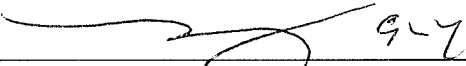
144

145

146

147

148

149  MURPHY, Gerard #924
150 Unit of Assignment 011th District

151


152

153

154

155

156

157  Sergeant Gabriel FLORES #2129

158 Bureau of Internal Affairs

159 Investigations Division

160 Confidential Investigations Section

161

162

163

Initials: _____

Page 4 of 4

Log No.: 1067075
Attachment No.: _____

CPD 0271602

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

24 Mar 2015
Log No. 1073260

1 STATEMENT of ACCUSED Lieutenant BAIO, Antonio #495, Employee # [REDACTED], 011th
2 District 1st Watch, relative to the allegation where on 24 Dec 2014, at 0850 hrs, while at the
3 location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused
4 failed to initiate a CR Number Investigation after being made aware of possible misconduct
5 by unknown members/persons after being notified of such and after the completion of
6 Chicago Police Department RD # [REDACTED]

7
8 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510 S.
9 Michigan Avenue, Chicago, Illinois.

10
11 Questioned &

12 Typed by: Sgt. Gabriel FLORES #2129

13
14 Date, Time: 24 Mar 2015 @ 1022 hrs

15
16 FLORES: For the record, what is your rank, full name, employee number and
17 unit of assignment?

18 BAIO: LT. BAIO, Antonio #495, Employee # [REDACTED], 011th District.

19
20 FLORES: What is your date of birth?

21 BAIO: [REDACTED]

22
23 FLORES: What is your date of appointment to the Department?

24 BAIO: 06 May 1985

25
26 FLORES: How long have you been assigned to your present unit?

27 BAIO: Since 01 May 2014

28
29 FLORES: Have you been advised in writing and or electronically of the
30 charges/allegations made against you, the name of the complainant(s),
31 the date and time of the incident(s), and your administrative rights
32 thereto?

33 BAIO: Yes.

34
35 FLORES: Did you read and understand these charges/allegations and your
36 rights?

37 BAIO: Yes.

38
39 FLORES: Are you accompanied by counsel/representative of your choosing, and
40 if so, identify him for the record?

41 BAIO: Yes, Thomas Pleines.

42
43
Initials: MB

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

24 Mar 2015
Log No. 1073260

44 FLORES: Do you understand that this is an official Police Department report and
45 that any deviation from the truth could result in allegations or charges
46 being placed against you?
47 BAIO: Yes.
48
49 FLORES: "Rule 14" of the Chicago Police Department's Rules and Regulations
50 prohibits making false reports, whether written or oral. You may be
51 separated from the Chicago Police Department if you make a false
52 report. Do you understand?
53 BAIO: Yes.
54
55 FLORES: Are you ready to give your statement at this time?
56 BAIO: Yes, however this statement is not being given voluntarily, but under
57 duress. I am only giving this statement because I know that I could
58 lose my job if I refuse.
59
60 FLORES: Recalling your attention on or around 24 Dec 2014, were you
61 approached by P.O. KWASINSKI #17243 and notified by him that his
62 Chicago Police Department Log-in credentials had been used without
63 his authorization?
64 BAIO: Yes.
65
66 FLORES: What did P.O. KWASINSKI tell you or explain to you concerning the
67 unauthorized use of his Chicago Police Department Log-in
68 credentials?
69 BAIO: On 24 Dec 2014, P.O. Kwasinski informed me that he was notified as
70 an accused in a CR investigation number [REDACTED] P.O. Kwasinski
71 informed me that this CR number investigation involved the improper
72 access to a case report in which his CPD log in credentials were used
73 to access a case report that was not in the realm of his responsibilities.
74
75 FLORES: Did P.O. KWASINSKI explain how he came to learn of the
76 unauthorized use of his Chicago Police Department Log-in
77 credentials?
78 BAIO: Yes, Because of the CR number that he was so accused of.
79
80 FLORES: Did P.O. KWASINSKI advise you that he believed another
81 Department member might have used his CPD log-in credentials?
82 BAIO: He knew that someone had used his credentials but he did not know if
83 it was a CPD member.
84
85 FLORES: Did P.O. KWASINSKI advise you that he was the actual accused
86 member in the initial CR Number Investigation?
87 BAIO: Yes.
88

Initials: MB

Page 2 of 4

Log No.: 1067075
Attachment No.: _____

CPD 0271604

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

24 Mar 2015
Log No. 1073260

89 FLORES: After having been advised of the unauthorized use of P.O.
90 Kwasinski's Chicago Police Department Log-in credentials, did
91 you advise or order P.O. Kwasinski to initiate a case report, RD
92 # [REDACTED]
93 BAIO: Yes.
94
95 FLORES: After having been made aware of the unauthorized use of P.O.
96 Kwasinski's Chicago Police Department Log-in credentials and
97 possible misconduct by a Chicago Police Department member, did you
98 initiate a CR Investigation, specifically, for the unauthorized use of
99 P.O. Kwasinski's CPD Log-in credentials?
100 BAIO: No I did not.
101
102 FLORES: Why did you not initiate a separate CR Investigation into the alleged
103 unauthorized use of P.O. Kwasinski's CPD Log-in credentials?
104 BAIO: Due to the fact that the initial CR investigation which was [REDACTED] in
105 which P.O. Kwasinski was named and that it involved the
106 inappropriate access to a case report in which the Mayors son was
107 named as a victim in a robbery, I felt that it was prudent not to obtain a
108 separate CR number involving the unauthorized use of p.o. Kwasinski's
109 CPD log in credentials. I believed that the investigation into this
110 unauthorized access to P.O. Kwasinski's log in credential's would be
111 addressed and so be investigated in CR # [REDACTED] since the Chicago
112 police Department was already aware that P.O. Kwasinski's cpd login
113 credentials were used to access said report. I liken this entire CR
114 investigation scenario to that of a burglary incident in which a vehicle
115 is subsequently stolen as a result of the burglary. If a vehicle is taken
116 in the course of such a burglary, the vehicles information would then
117 be included in the burglary case report. A separate case report, i.e. RD
118 #, would not be created to report the theft of the vehicle. Hence, the
119 unauthorized use of P.O. Kwasinski's CPD login credentials was so
120 recorded and reported in his response to CR # [REDACTED] as well as the
121 General Case Report [REDACTED] The allegation that someone
122 improperly used P.O. Kwasinski's CPD login credentials is a
123 ramification related to the original allegation and should be
124 investigated as a part of the original investigation.
125
126 FLORES: You did not see it as two separate allegations requiring two separate
127 investigations where the already initiated CR investigation was for the
128 access to computerized data and/or dissemination of CPD reports and
129 the second one should have been for, as Case Report RD # [REDACTED]
130 shows, the Deceptive Practice- Unlawful Use of a Computer involving
131 the unauthorized use of P.O. Kwasinski's CPD log-in credentials?

Initials: RMH

Bureau of Internal Affairs
Investigations Division
Confidential Investigations Section

24 Mar 2015
Log No. 1073260

132 BAIO: Based on the information that P.O. Kwasinski related to me I did not
133 believe it was prudent or required to obtain a new and separate CR
134 investigation.
135

136 FLORES: Is there anything you would like to add at this time?

137 BAIO: No.

138

139 FLORES: After reading this statement consisting of 4 pages and finding it
140 contains the responses you have given, will you sign it?

141 BAIO: Yes.

142

143

144

145 FLORES: Statement concluded at 1041 hours.

146

147

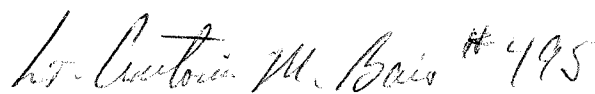
148

149

150

151

152



153 Lt. BAIO, Antonio #495

154 Unit of Assignment 011th District

155

156

157

158

159

160



161 Sergeant Gabriel FLORES #2129

162 Bureau of Internal Affairs

163 Investigations Division

164 Confidential Investigations Section

165

166

167

Initials: AMB



/ 1 Main Report

100%

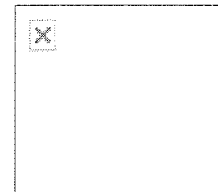
Business Objects

Report Date: 27 Mar 2015
Report Time: 1327 Hrs

Chicago Police Department


Personnel Division

**Only for active personnel*



Information Services Division
Data Warehouse
Produced by 

Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
MURPHY , GERARD T	9171	924	011		

Achievements

Total No.

COMPLIMENTARY LETTER	4
PROBLEM SOLVING AWARD	1
PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
2009 CRIME REDUCTION AWARD	1
DEPARTMENT COMMENDATION	1
ATTENDANCE RECOGNITION AWARD	3
HONORABLE MENTION	61
NATO SUMMIT SERVICE AWARD	1
DEMOCRATIC NATIONAL CONVENTION AWARD	1
2004 CRIME REDUCTION RIBBON	1
TOTAL AWARDS	75

**NOTE: THIS REPORT IS FOR OFFICIAL LAW
ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE
DATE AND TIME OF THE REPORT. THIS**



**Citizen & Law Enforcement Analysis & Reporting
System**

1 / 1

**BUREAU OF INTERNAL AFFAIRS
RECORDS SECTION**

25 MARCH 2015

TO: COMMANDING OFFICER UNIT 121

**FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION**

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

MURPHY	GERARD	924	011
NAME	(LAST, FIRST)	STAR	UNIT
MALE	WHITE		
SEX	RACE	EMPLOYEE#	

**REFERENCE: COMPLAINT REGISTER / LOG NUMBER 1073260
THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:**

SGT	FLORES	2129		121
RANK	NAME	STAR	EMPLOYEE#	UNIT

**RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCE COMPLAINT LOG NUMBER.**

**THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED
THE FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.**

VERIFIED / PREPARED BY;

ALICE GRAY

**NONE
SEE ATTACHED**

**FOR: COMMANDING OFFICER
RECORDS SECTION
BUREAU OF INTERNAL AFFAIRS**

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

25-MAR-2015 12:23:24 PM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #.</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
██████████	██████████	924	██████████	9171	SERGEANT OF POLICE	011

<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>
M	WHITE	██████████	29-NOV-1982	1	0

<u>Case #.</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
C 1039210	24-AUG-2010		REPRIMAND	10M-INSUBORDINATION	

<u>Civil Suit #</u>	<u>Police Board #</u>

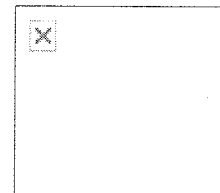
Comments

Report Date: 27 Mar 2015
Report Time: 1306 Hrs

Chicago Police Department


Personnel Division

**Only for active personnel*



Information Services Division
Data Warehouse
Product 

Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
BAIO, ANTONIO M	9173	495	011		

Achievements

Total No.

2009 CRIME REDUCTION AWARD	1
JR. CHAMBER OF COMMERCE AWARD	1
EMBLEM OF RECOGNITION - APPEARANCE	1
DEMOCRATIC NATIONAL CONVENTION AWARD	1
2004 CRIME REDUCTION RIBBON	1
DEPARTMENT COMMENDATION	3
UNIT MERITORIOUS PERFORMANCE AWARD	3
HONORABLE MENTION	70
LIFE SAVING AWARD	1
ATTENDANCE RECOGNITION AWARD	3
PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
COMPLIMENTARY LETTER	14
EMBLEM OF RECOGNITION - PHYSICAL FITNESS	8
NATO SUMMIT SERVICE AWARD	1
TOTAL AWARDS	109

**NOTE: THIS REPORT IS FOR OFFICIAL LAW
ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE
DATE AND TIME OF THE REPORT. THIS**



**Citizen & Law Enforcement Analysis & Reporting
System**

1 / 1

**BUREAU OF INTERNAL AFFAIRS
RECORDS SECTION**

25 MARCH 2015

TO: COMMANDING OFFICER UNIT 121

**FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION**

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

BAIO	ANTONIO	495	011
NAME	(LAST, FIRST)	STAR	UNIT
MALE	WHITE		
SEX	RACE	EMPLOYEE#	

REFERENCE: COMPLAINT REGISTER / LOG NUMBER 1073260
THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SGT	FLORES	2129		121
RANK	NAME	STAR	EMPLOYEE#	UNIT

**RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCE COMPLAINT LOG NUMBER.**

**THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED
THE FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.**

VERIFIED / PREPARED BY;

ALICE GRAY

NONE
SEE ATTACHED

**FOR: COMMANDING OFFICER
RECORDS SECTION
BUREAU OF INTERNAL AFFAIRS**

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

25-MAR-2015 12:19:28 PM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #.</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
██████████	BAIO ANTONIO M.	495	██████████	9173	LIEUTENANT OF POLICE	011
<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>	
M	WHITE	██████████	06-MAY-1985	0	0	

- a. Engaging directly or indirectly in the ownership, maintenance, or operation of a tavern or retail liquor establishment.
- b. Engaging directly or indirectly in the ownership or leasing of a taxicab.

(Adopted by the Police Board on 8 November 1979)

Rule 19

(Repealed 8 May 1975 by the Police Board)

Rule 20

Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.

Rule 21

Failure to report promptly to the Department any information concerning any crime or other unlawful action.

Rule 22

Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Rule 23

Failure to obey Department orders concerning other employment, occupation, or profession.

Rule 24

Failure to follow medical roll procedures.

Rule 25

Failure to actually reside within the corporate boundaries of the City of Chicago.

BUREAU OF INTERNAL AFFAIRS
Investigations Division
Confidential Investigations Section


31 Mar 15
Log #1073260

To: Commanding Officer
Confidential Investigations Section
Bureau of Internal Affairs

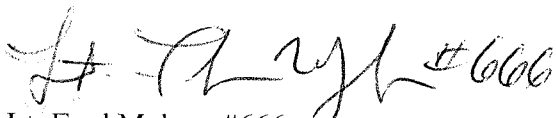
From: Sgt. Gabriel Flores #2129
Confidential Investigations Section
Bureau of Internal Affairs

Subject: Completion of Log #1073260

The attached Log Investigation is completed and submitted for your approval.


Sgt. Gabriel Flores #2129
Confidential Investigations Section
Bureau of Internal Affairs

APPROVED:


Lt. Fred Melean #666
Confidential Investigations Section
Bureau of Internal Affairs

Commander Robert Klimas
Director of Investigations
Bureau of Internal Affairs

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1073260TYPE
CR, CONFDATE OF REPORT
31-MAR-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
FLORES, GABRIEL	9171	2129		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS:	DATE / TIME:	BEAT: 0
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
BAIO, ANTONIO M	9173	495		011		M / WHI		06-MAY-1985	YES	YES
MURPHY, GERARD T	9171	924		011		M / WHI		29-NOV-1982	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
BLAUL, CHRISTINE	RANK: 9171, STAR NO: 926, EMP NO:		Bad Phone No:	F / WHI	/ 44

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
------	----------	------------	-----------	------------	-----------

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	RANK: 9161, STAR NO: 17243, EMP NO:			M / WHI	/ 55

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

NOTE: Complaint Log "TYPE" is classified CR—Sworn Affidavit NOT Required.

ACCUSED #1: Lt. BAIO, Antonio M. #495, Employee # , 011th District
ALLEGATION: It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD

ACCUSED #2: Sgt. MURPHY, Gerard #924, Employee # , 011th District
ALLEGATION: It is alleged that on 24 Dec 2014, at 0850 hrs, while at the location of 3151 W. Harrison Ave (011th District Station) Chicago Illinois, the Accused failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD

SUMMARY

SEE ATTACHED FOR INVESTIGATION SUMMARY.

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
			16

FINDINGS - RECOMMENDATIONS

SEE ATTACHED FOR INVESTIGATIONS FINDINGS-RECOMMENDATIONS.

DATE INITIATED
(Date incident was received for investigation)

14-JAN-2015

DATE COMPLETED (Date of this report)

31-MAR-2015

ELAPSED TIME
(Total time expressed in days)

76

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

Sgt. Sahel / 62 #2125

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CPD 0271618

SUMMARY REPORT Continued

SUMMARY/INVESTIGATION:

The Undersigned, upon being assigned this Log Number for investigation, reviewed all the provided reports. The Undersigned essentially learned that Sergeant MURPHY, Gerard #924 and Lieutenant BAIO, Antonio #495 were listed as Accused Department Members who were accused of allegedly failing to obtain a CR Number after having been notified that P.O. KWASINSKI, Mark #17243 CPD Clear Login credentials had been stolen/used without his authorization. The Undersigned observed that RD [REDACTED] had been generated for Deceptive Practice-Unlawful Use of a Computer, to document the unauthorized use of P.O. KWASINSKI'S CPD Login credentials. (Attachment #1, 4, 5)

In furtherance to this investigation, the Undersigned requested a Witness To-From report from P.O. KWASINSKI. P.O. KWASINSKI, through his To-From report essentially related the following. P.O. KWASINSKI related that he notified Sgt. MURPHY and Lt. BAIO of the unauthorized use of his CPD Login credentials after he learned that his CPD Login credentials had been used to access reports outside of his normal duties from Sgt. BLAUL, Christine #926. NOTE: Sgt. BLAUL initially notified P.O. KWASINSKI as an Accused in the access of said sensitive CPD reports where it was discovered that P.O. KWASINSKI'S CPD Login credentials had been used to access those reports. P.O. KWASINSKI provided nothing further. (Att. #6, 7)

The Undersigned, in continuation of this investigation, notified Sgt. MURPHY as an Accused in this CR Number investigation, requesting a To-From report and an oral statement from Sgt. MURPHY. Sgt. MURPHY essentially related the same in both his To-From report and oral statement. Sgt. MURPHY, in essence, stated that after having been made aware that P.O. KWASINSKI was an accused in an already reported and current CR Number investigation and after having been made aware of P.O. KWASINSKI'S allegation that someone had used his CPD Login credentials without his authorization, Sgt. MURPHY did not obtain a separate CR Number for the unauthorized use of P.O. KWASINSKI'S Login credentials because he believed it to be related to the already reported and investigated CR Number. Sgt. MURPHY stated he believed it was the same incident and not a new one and as such did not generate a new CR number because one had already been initiated. Sgt. MURPHY provided nothing further. (Att. #8, 10, 12)

The Undersigned, in continuation of this investigation, notified Lt. BAIO as an Accused in this CR Number investigation, requesting a To-From report and an oral statement from Lt. BAIO. Lt. BAIO essentially related the same in both his To-From report and oral statement. Lt. BAIO, in essence, stated he was notified by P.O. KWASINSKI that he was an accused in CR #1073044 where it was alleged that he accessed CPD reports outside the realm of his responsibilities. Lt. BAIO stated that he was further informed by P.O. KWASINSKI that he believed his CPD credentials had been used without his authorization. Lt. BAIO stated he then instructed P.O. KWASINSKI to generate a case report for the theft/unauthorized use of his CPD Login credentials. Lt. BAIO further stated he believed the investigation into the unauthorized

BUREAU OF INTERNAL AFFAIRS
Investigations Division
Confidential Investigations Section

31 Mar 15
CL# 1073260

use of P.O. KWASINSKI'S Login credentials would be addressed in the already initiated CR #1073044. Lt. BAIO stated he did not believe the two incidents required separate CR number investigations and as such did not generate a new CR Number investigation. Lt. BAIO provided nothing further. (Att. #9, 11, 13)

The Undersigned, after reviewing all the reports, found that the initial CR Number of 1073044 had been initiated for the actual access of sensitive CPD reports where it was discovered that the access was conducted using P.O. KWASINSKI'S CPD Login credentials. The Undersigned observed that upon being notified as an Accused in CR Number [REDACTED] P.O. KWASINSKI generated case report RD [REDACTED] for Deceptive Practice/Unlawful use of a Computer after alleging that someone had stolen his Login credentials and used them to access sensitive CPD reports, which he was being accused of doing. The Undersigned distinguishes these incidents as two separate allegations and as such required separate CR Number investigations. Therefore, the Undersigned found that both of the Accused failed to initiate a separate CR Number investigation into P.O. KWASINSKI'S allegation that someone stole/used his CPD login credentials without his authorization.

The Undersigned, after having taken Lt. BAIO'S and Sgt. MURPHY'S statements, observed that both members believed that the unauthorized use of P.O. KWASINSKI'S CPD log in credentials would be addressed and investigated within the initial CR Number of [REDACTED]. Both of the Accused stated they believed that regardless of who actually accessed the CPD sensitive reports under P.O. KWASINSKI'S login credentials, it would be investigated and potentially discovered through the initial CR Number of [REDACTED] thus not requiring a new CR Number. However, the Undersigned, after reviewing the generated Case Report observed that nowhere was it documented nor noted that P.O. KWASINSKI'S allegations/claims that his CPD credentials were stolen/used without his authorization were or would be referred to the original CR Number Investigation of [REDACTED]. The Undersigned further observed that no new notifications to the Bureau of Internal Affairs or the Independent Police Review Authority were made concerning the newly reported/discovered information. Thus, both the Accused claims of why a new CR Investigation was not initiated are not supported nor documented in any Department report. Therefore, the Undersigned found that Lt. BAIO and Sgt. MURPHY failed to initiate a CR Number into the allegations put forth by P.O. KWASINSKI in RD # [REDACTED].

BUREAU OF INTERNAL AFFAIRS
Investigations Division
Confidential Investigations Section

31 Mar 15
CL# 1073260

FINDINGS:

Accused #1: Lieutenant BAIO, Antonio #495, Employee # [REDACTED] 011th District

Allegation: **Sustained--Violation of Rule 22**

Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department in that on 24 Dec 2014 at 0850 hrs, while at the location of [REDACTED] the Accused Lt. failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]

RECOMMENDATIONS:

After reviewing the Accused Complimentary History, Disciplinary History and evidence gathered in this investigation and taking all of said information into consideration, the Investigative Sergeant recommends a **REPRIMAND** against the Accused.

Accused #2: Sergeant MURPHY, Gerard #924, Employee # [REDACTED] 011th District

Allegation: **Sustained--Violation of Rule 22**

Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department in that on 24 Dec 2014 at 0850 hrs, while at the location of [REDACTED] the Accused Sergeant failed to initiate a CR Number Investigation after being made aware of possible misconduct by unknown members/persons after being notified of such and after the completion of Chicago Police Department RD # [REDACTED]


RECOMMENDATIONS:

After reviewing the Accused Complimentary History, Disciplinary History and evidence gathered in this investigation and taking all of said information into consideration, the Investigative Sergeant recommends a **REPRIMAND** against the Accused.

BUREAU OF INTERNAL AFFAIRS
Investigations Division
Confidential Investigations Section

31 Mar 15
CL# 1073260

DATE INITIATED: 14 Jan 2015
DATE COMPLETED: 31 Mar 2015
ELAPSED TIME: 76


Sgt. Gabriel Flores #2129
Bureau of Internal Affairs
Confidential Investigations Division

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status
1	FACE SHEET	N/A				KOBEL, DANIEL	07-JAN-2015 14:20	
2	CONFLICT CERTIFICATION	N/A				FLORES, GABRIEL	23-JAN-2015 10:21	
3	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Not Required	NO	FLORES, GABRIEL	30-MAR-2015 09:53	APPROVED
4	INITIATION REPORT	N/A	2	Sgt. Blaul report	NO	FLORES, GABRIEL	30-MAR-2015 10:01	APPROVED
5	GENERAL OFFENSE CASE REPORT	N/A	2		NO	FLORES, GABRIEL	30-MAR-2015 10:02	APPROVED
6	WITNESS NOTIFICATION FOR KWASINSKI, MARK	WITNESS - KWASINSKI, MARK				FLORES, GABRIEL	23-JAN-2015 10:41	WITNESS ACKNOWLEDGED NOTIFICATION
7	WITNESS REPORT	N/A	1	P.O. Kwasinski's report	NO	FLORES, GABRIEL	30-MAR-2015 10:07	APPROVED
8	ACCUSED NOTIFICATION OF ALLEGATIONS FOR MURPHY, GERARD	ACCUSED - MURPHY, GERARD				FLORES, GABRIEL	04-FEB-2015 10:50	ACCUSED ACKNOWLEDGED ALLEGATIONS
9	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BAIO, ANTONIO	ACCUSED - BAIO, ANTONIO				FLORES, GABRIEL	04-FEB-2015 10:47	ACCUSED ACKNOWLEDGED ALLEGATIONS
10	ACCUSED REPORT	N/A	1	Sgt. Murphy To-From	NO	FLORES, GABRIEL	30-MAR-2015 10:13	APPROVED
11	ACCUSED REPORT	N/A	3	Lt. Baio To-From	NO	FLORES, GABRIEL	30-MAR-2015 10:21	APPROVED
12	STATEMENT OF POLICE OFFICER	N/A	4	Sgt. Murphy accused statement	NO	FLORES, GABRIEL	30-MAR-2015 10:25	APPROVED
13	STATEMENT OF POLICE OFFICER	N/A	4	Lt. Baio Accused statement	NO	FLORES, GABRIEL	30-MAR-2015 10:27	APPROVED
14	COMPLIMENTARY HISTORY	N/A	2	Sgt. Murphy Complimentary History	NO	FLORES, GABRIEL	30-MAR-2015 10:48	APPROVED
15	DISCIPLINARY HISTORY	N/A	2	Sgt. Murphy's Disciplinary History	NO	FLORES, GABRIEL	30-MAR-2015 10:53	APPROVED
16	COMPLIMENTARY HISTORY	N/A	2	Lt. Baio's Comp. History	NO	FLORES, GABRIEL	30-MAR-2015 11:01	APPROVED
17	DISCIPLINARY HISTORY	N/A	2	Lt. Baio Disciplinary History	NO	FLORES, GABRIEL	31-MAR-2015 14:22	APPROVED
18	REPORT (OTHER)	N/A	1	Rules and Regs.	NO	FLORES, GABRIEL	31-MAR-2015 14:25	APPROVED